

T R Y A L

And Examination of Felix Coghlan Esq; who was Try'd for his Life at the King's Bench on Wednesday the 25th of this Instant November 1719 for the Killing of William Carrol Gentleman:

The Jury being sworn, The first Evidence for the King, was one William Moor, who being sworn said, that on Saturday the fourth of July last, the Prisoner came to the Deceas'ds Office in Corn-market, and asked for some Papers, That the Deceas'd not being with in, The said Moor told him that he could give him no account of his Papers, That the Prisoner made answer, that the Deceased was a Scoundrel Rascal, and that wherever he mett him next he would Cane him, And said, that the Tuesday following he was informed that the said Coghlan Kil'd the said Carrol, The 2d Evidence was Mary Purcel, who swore, that on the 4th of July, the said Coghlan came to the said Carrols to look for some papers, and that she heard Coghlan swear, that he would be reveng'd of the deceased, wherever he met him

The 3d. Evience was Mr. John Gill Stationer who said that on the 7th. of July last, the Prisoner was in his Shop. That he saw the Deceas'd and he have some Words. That the Deceas'd drew his Sword first. and that Coghlan drew his Sword, and Engag'd the Deceas'd and that he believ'd, that at the same time the Deceas'd received his Mortalwound.

The fourth Evidence was William Constable, who keeps a Shop over against the said Gill in Highstreet, who swore much to the same purpose as Mr. Gill did.

The 5th Evidence was Frances Gallagher, and the 6th was Michel Carrol, who both Swore that on the 7th of July last, they severally saw the Prisoner and the Deceased Engaged, but that the Deceased drew his Sword first wherewith he Wounded the Prisoner before he drew his Sword.

The last Witness for the King was Mark Moor, who said that he was Drinking a Pint of Wine in Nicholas Street when he heard a noise in the Street, that running out he saw the Deceased standing near the Tholsel with his Sword naked, and in a Posture of Defence

waiting for the Prisoner, that he came to the Deceased praying him to be Easie and go a way, but that the Deceased Swore he would never quit that place before he had Revenge of the Prisoner; that soon after he saw the Prisoner advance with his Sword drawn, & that he saw the Prisoner disarm the Deceased, and the Deceased soon turning his Back, that the Prisoner gave him two slaps on the Head behind with his own Sword, and that he knew no more.

Mr. Lyons and Mr. Dempsey two Chyrurgeons being Examined touching the Wounds on the Deceased, and whether the same was the cause of his Death. They said he had two Trusts in his left Arm, and one under his right Breast, and that they believ'd the later was the Cause of his Death. And being ask'd whether the Deceased told them how he came by his Death, they said, he was so weak he could not Speake to any of them.

All the said Witnesses being Examined for the Crown, the Court ordered the Prisoner to make his Defence; whereupon Mrs. Margaret Battoe being Examined in the behalf of the Prisoner, said, that on the 7th of July last she was in the Deceased's Room, at which time the Prisoners Brother came there, that the Deceas'd's Wife Express'd the following words, (Sir, the Scoundrel Black-guard your Brother was here, and did very much abuse my Husband,) (and my Dear) if you be not Reveng'd of him, I will never be reconciled with you; upon which the Deceased took his Sword under his Arm and went away;

Mr. Thomas Smith Attorney being Examined for the Prisoner he said, that on the 7th of July last, he was in Company with the Prisoner at Mr. Gills Shop, that he saw the Deceased come to him, asking him in a Passion some Questions; that after some few Words, the Deceased lifted up his left Hand (as he believ'd) to Assault the Prisoner, that the Prisoner also held up his Hand to keep off the Deceased, that the Deceased immediately fell back and drew his Sword, wherewith he Instantly stuck the Prisoner in the Belly, and Retiring over the Channel he desired the Prisoner to draw, and the Prisoner drawing his Sword, they Engag'd one another, and made several Passes and Trusts at each other;

Micheal Comerford Gent. and several other Credible Witnesses being Examined for the Prisoner; they all Swore much to the same purpose as the said Smith did in favour of the Prisoner: so that the Jury having received their Charge, and considering the whole course of the Evidence, the Prisoner was acquitted, but brought in Guilty of Manslaughter in his own defence.

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